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| | 45370 7590 11/28/2008 JOHN S. BEULICK (60709) | | | EXAMINER | |
| ARMSTRONG | TEASDALÉ LLP | RAPILLO, KRISTINE K | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USpatents@armstrongteasdale.com

| | Application No. | Applicant(s) | |
|---|--|---|--|
| | 10/677,930 | SOLANKI ET AL. | |
| Office Action Summary | Examiner | Art Unit | |
| | KRISTINE K. RAPILLO | 3626 | |
| The MAILING DATE of this communication a Period for Reply | ppears on the cover sheet with the | correspondence address | |
| A SHORTENED STATUTORY PERIOD FOR REF WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period. - Failure to reply within the set or extended period for reply will, by stat Any reply received by the Office later than three months after the mai earned patent term adjustment. See 37 CFR 1.704(b). | DATE OF THIS COMMUNICATIO 1.136(a). In no event, however, may a reply be ti od will apply and will expire SIX (6) MONTHS fron ute, cause the application to become ABANDONI | N. mely filed n the mailing date of this communication. ED (35 U.S.C. § 133). | |
| Status | | | |
| 1) ☐ Responsive to communication(s) filed on 22 2a) ☐ This action is FINAL . 2b) ☐ The substitution of t | nis action is non-final. vance except for formal matters, pr | | |
| Disposition of Claims | | | |
| 4) ☐ Claim(s) 1-37 is/are pending in the application 4a) Of the above claim(s) is/are withdress 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-37 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and compared to the subject of the subject o | rawn from consideration. l/or election requirement. | | |
| 9) ☐ The specification is objected to by the Exami 10) ☑ The drawing(s) filed on <u>02 October 2003</u> is/a Applicant may not request that any objection to the Replacement drawing sheet(s) including the correction. The oath or declaration is objected to by the | re: a)⊠ accepted or b)⊡ objected ne drawing(s) be held in abeyance. Se ection is required if the drawing(s) is ob | ee 37 CFR 1.85(a). Djected to. See 37 CFR 1.121(d). | |
| Priority under 35 U.S.C. § 119 | | | |
| 12) ☐ Acknowledgment is made of a claim for foreign a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority docume 2. ☐ Certified copies of the priority docume 3. ☐ Copies of the certified copies of the priority docume application from the International Bure * See the attached detailed Office action for a limit | ents have been received. ents have been received in Applicat riority documents have been receive eau (PCT Rule 17.2(a)). | tion No red in this National Stage | |
| Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 10/2/2003. | 4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal C 6) Other: | oate | |

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DETAILED ACTION

Notice to Applicant

1. This communication is in response to the amendment filed 9/22/2008. Claims 1, 16, and 24 are amended. Claims 1 – 37 are presented for examination.

Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
- 4. Claims 1 8, 11 13, 16 18, 22 23, 25 30 and 33 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Medina et al., herein after Medina (U.S. Publication No. 2002/0116210) in view of Harrell et al., herein after Harrell (U.S. Publication Number 2002/0156656), further in view of Kelly et al., herein after Kelly (U.S. Patent Number 5,806,042).

In regard to claim 1 (currently amended), Medina teaches a method for quoting reinsurance for a reinsurance company, comprising the steps of:

- authorizing electronic requests from one or more customer users, the one or more customer users including users associated with insurance companies seeking a quote from the reinsurance company for reinsuring insurance policies underwritten by the insurance companies (paragraph [0009]). Medina teaches a method for quoting a price for goods and services requested by a customer. Although Medina does not explicitly teach a reinsurance company, Medina does describe a broad method which includes business information for the preparation of a quote, and goods and services can be considered insurance and/or reinsurance;
- o providing data to an application server from the one or more customer users for the quote of reinsurance, wherein the data provided including data relating to a specific insurance policy (paragraphs [0024], [0026], [0027], and [0028]. Medina describes a method in which a customer provides data to prepare a SOW (Statement of Work), which is defined as a collection of data, resources, costs, and requirements used to generate a quote. Medina does not explicitly teach that the data provided is related to an insurance policy, however an insurance policy can be considered a service and/or good;
- o processing the data according to rules within a database networked with the application server, to generate the quote for the reinsurance for the specific insurance policy (paragraphs [0017], [0018], [0020], and [0024]). Medina teaches a method which includes rules with software to generate a quote. Medina does not explicitly teach reinsurance for a specific insurance policy; and
- electronically communicating the quote for the reinsurance to the customer users including electronically transmitting a reinsurance contract to the one or more customer users associated with the specific insurance policy (paragraphs [0030] and [0058]).

Medina fails to teach a method for quoting reinsurance for a reinsurance company comprising the steps of automatically requesting whether the customer users providing data relating to the specific insurance policy desire a profitability analysis for the reinsurance policy quoted for the specific insurance

policy, wherein the profitability analysis indicates whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote.

Harrell teaches a method for quoting reinsurance (paragraphs [003] through [0039]) comprising the steps of automatically requesting whether the customer users providing data relating to the specific insurance policy desire a profitability analysis for the reinsurance policy quoted for the specific insurance policy (paragraphs [0028], [0070], and [0133]). Harrell describes an underwriting process which includes quote creation, billing, certificate issuance (i.e. insurance policy), and reinsurance. Harrell also describes an automated method in which the need for reinsurance is evaluated and communicated and communicated to a reinsurer.

Harrell fails to teach a method wherein the profitability analysis indicates whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote.

Kelly teaches a method wherein the profitability analysis indicates whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote (column 4, lines 32 – 36 and column 7, lines 8 – 15).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a method wherein the profitability analysis indicates whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote as taught by Kelly, within the method of Medina, with the motivation of providing a reinsurance policy in exchange for the equivalent amount of investment return and commissions (column 6, lines 25 – 42).

In regard to claim 2 (original), Medina, Harrell, and Kelly teach the method of claim 1. Medina further teaches the step of authorizing comprising the step of qualifying the users to a plurality of security levels providing differing levels of access to, and control of, the database (paragraphs [0034] and [0051]). Medina describes a security system in which a password is used to authenticate the user and the assignation of specific levels of access to the database.

In regard to claim 3 (original), Medina, Harrell, and Kelly teach the method of claim 1. Medina further teaches the step of providing data comprising the step of inputting data through a web browser interface at a computer networked with the application server (paragraphs [0041] and [0042]).

In regard to claim 4 (original), Medina, Harrell, and Kelly teach the method of claim 1. Medina further teaches the step of providing data comprising selecting an existing quote stored within the database through a web browser at a computer networked with the application server (paragraph [0051]). The invention described by Medina allows all authorized employees to view the status of all statement of work records (a statement of work is the data required to generate a quote). The Examiner interprets the statement of work to be equivalent to an informal quote based on the context of the Medina patent publication.

In regard to claim 5 (previously presented), Medina, Harrell, and Kelly teach the method of claim 1. Medina further teaches a method further comprising generating email to one or more internal users indicating generation of the quote, wherein the one or more internal users including users associated with the reinsurance company (paragraph [0047]) where a quote advisor, supervisor, and the like are considered internal users of the company.

Harrell teaches a reinsurance company (paragraphs [0033] through [0039]).

The motivation to combine the teachings of Medina, Harrell, and Kelly is discussed in the rejection of claim 1 and incorporated herein.

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In regard to claim 6 (original), Medina, Harrell, and Kelly teach the method of claim 5. Medina further teaches the step of generating email comprising determining the internal users through an association stored in the database and linking the internal users to the customer users (paragraph [0044]).

In regard to claim 7 (original), Medina, Harrell, and Kelly teach the method of claim 6. Medina further teaches the step of generating email comprising generating batch email at an end of a day (paragraphs [0047] and [0048]). Medina teaches an e-mail notification system based on predefined event; therefore, it would be obvious to include batch e-mail at the end of the day as a predefined event.

In regard to claim 8 (original), Medina, Harrell, and Kelly teach the method of claim 1. Medina further teaches the step of electronically communicating comprising generating email to at least one of the customer users (paragraphs [0048] and [0049]).

In regard to claim 11 (original), Medina, Harrell, and Kelly teach the method of claim 1. Medina further teaches a method comprising setting a time delay between processing the data to generate the quote and electronically communicating the quote to the user (paragraph [0047]).

In regard to claim 12 (original), Medina, Harrell, and Kelly teach the method of claim 1. Medina further teaches the step of electronically communicating comprising downloading a spreadsheet to a computer associated with the one or more customer users (paragraph [0024]).

In regard to claim 13 (original), Medina, Harrell, and Kelly teach the method of claim 1. Medina further teaches a method comprising the step of appending text to the quote by downloading the text to the database prior to the step of processing the data (paragraph [0024]).

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In regard to claim 16 (currently amended), Medina teaches a system for quoting reinsurance for a reinsurance company, said system comprising:

- a web server for receiving electronic requests for reinsurance quotations and for authenticating users generating the requests (paragraph [0017]);
- an application server connected with the web server for formulating the quotation based upon the requests (paragraph [0042]); and
- o a database connected with the application server for storing the quotation and other data used in generating the quotation (paragraph [0038]), wherein said system is further configured to:
 - o receive electronic requests for reinsurance quotations from customer users, the customer users including users associated with insurance companies seeking a quote from the reinsurance company for reinsuring insurance policies underwritten by the insurance companies (paragraph [0009]). Medina teaches a method for quoting a price for goods and services requested by a customer, which therefore, illustrates that data is received in order to generate a quote. Although Medina does not explicitly teach a reinsurance company, Medina does describe a broad method which includes business information for the preparation of a quote, and goods and services can be considered insurance and/or reinsurance;
 - o receive data from the customer users for the quote of reinsurance, wherein the data provided including data relating to a specific insurance policy (paragraphs [0024], [0026], [0027], and [0028]). Medina describes a method in which a customer provides data to prepare a SOW (Statement of Work), which is defined as a collection of data, resources, costs, and requirements used to generate a quote;
 - process the received data according to rules within the database to generate the quote for the reinsurance for the specific insurance policy ((paragraphs [0017], [0018], [0020], and [0024]). Medina teaches a method which includes rules with software to generate a quote; and

 electronically communicate the quote for the reinsurance to the customer users including electronically transmitting a reinsurance contract to the customer users associated with the insurance company for the specific insurance policy (paragraphs [0030] and [0058]).

Medina fails to teach a system for quoting reinsurance for a reinsurance company comprising: request whether the customer users providing data relating to the specific insurance policy desire a profitability analysis for the reinsurance policy quoted for the specific insurance policy, wherein the profitability analysis indicates whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote.

Harrell teaches a system for quoting reinsurance for a reinsurance company (paragraphs [0033] through [0039]) comprising: request whether the customer users providing data relating to the specific insurance policy desire a profitability analysis for the reinsurance policy quoted for the specific insurance policy (paragraphs [0028], [0070], [0133], and Table 1).

Harrell fails to teach a system wherein the profitability analysis indicates whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy by transferring risks associated with the specific insurance policy to the reinsurance company for an amount associated with the quote.

Kelly teaches a system comprising: request whether the customer users providing data relating to the specific insurance policy desire a profitability analysis for the reinsurance policy quoted for the specific insurance policy, wherein the profitability analysis indicates whether the quoted reinsurance policy improves profitability of the insurance company associated with the specific insurance policy <u>by</u> transferring risks associated with the specific insurance policy to the reinsurance company for an amount <u>associated with the quote</u> (column 4, lines 32 – 36 and column 7, lines 8 – 15).

The motivation to combine the teachings of Medina and Kelly is discussed in the rejection of claim 1, and incorporated herein.

In regard to claim 17 (original) Medina, Harrell, and Kelly teach the system of claim 16. Medina further teaches the electronic requests comprising a selection to a preexisting quote within the database (paragraph [0051]). The invention described by Medina allows all authorized employees to view the status of all statement of work records (a statement of work is the data required to generate a quote). The Examiner interprets the statement of work to be equivalent to an informal quote based on the context of the Medina patent publication.

In regard to claim 18 (original), Medina, Harrell, and Kelly teach the system of claim 16. Medina further teaches the application server having means for inserting, deleting and updating records within the database (paragraph [0033]). Medina describes a system in which each user can edit data based on their access rights. The Examiner interprets editing to include the processes of inserting, deleting, and updating records.

In regard to claim 22 (original), Medina, Harrell, and Kelly teach the system of claim 16. Medina further teaches a method comprising means for generating email to the users, the email comprising the reinsurance quotation (paragraph [0047]).

In regard to claim 23 (original), Medina, Harrell, and Kelly teach the system of claim 16. Medina further teaches a method comprising means for generating email to one or more internal users in response to generation of a reinsurance quotation (paragraph [0044]).

Software Claims 25 - 30 and 33 - 35 repeat the subject matter of method claims 1 - 8 and 11 - 13, respectively. As the underlying processes of claims 1 - 8 and 11 - 13 have been shown to be fully disclosed by the teachings of Medina and Kelly in the above rejections of claims 1 - 8 and 11 - 13, it is readily apparent that the method disclosed by Medina and Kelly include the software to perform these

functions. As such, these limitations (claims 25 – 30 and 33 - 35) are rejected for the same reasons given above for method claims 1 - 8 and 11 - 13.

5. Claims 9 – 10, 19, and 31 – 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Medina, Harrell, and Kelly and further in view of www.ereinsure.com (2002).

In regard to claim 9 (original), Medina, Harrell, and Kelly teach the method of claim 8. Medina, Harrell, and Kelly fail to teach the step of generating email comprising sending one of text defining the quote or a hyperlink to the quote stored on the database.

Ereinsure teaches the step of generating email comprising sending one of text defining the quote or a hyperlink to the quote stored on the database (paragraphs 50, 51, 66, 83, and 84).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a method of generating e-mail, which includes text defining the quote or hyperlink to the quote as taught by Ereinsure with the motivation of allowing multiple quotes to be compared, which in turn increases the flexibility of the reinsurance negotiations (quotes and binding of the contract) – paragraph 12.

In regard to claim 10 (original), Medina, Harrell, and Kelly teach the method of claim 1. Medina, Harrell, and Kelly fail to teach a method further comprising the steps of accepting inputs from one of the customer users indicating acceptance of the quote and immediately generating email to one or more internal users indicating that the one customer user desires to execute an reinsurance contract based upon the quote.

Ereinsure teaches a method further comprising the steps of accepting inputs from one of the customer users indicating acceptance of the quote and immediately generating email to one or more internal users indicating that the one customer user desires to execute an reinsurance contract based upon the quote (paragraph 50).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a method in which inputs are accepted from one of the customers indicating acceptance of the quote, immediately generating an e-mail to internal users indicating acceptance of the quote, and executing a contract based upon the quote as taught by Ereinsure with the motivation of streamlining the electronic workflow of providing reinsurance by increasing the process efficiency and providing better information to both the customer and provider (paragraphs [0028] and [0029]).

In regard to claim 19 (original), Medina, Harrell, and Kelly teach the system of claim 16. Medina, Harrell, and Kelly fail to teach the web server comprising a plug in for comparing authorization data associated with the electronic requests with data stored in a policy server and database.

Ereinsure teaches a web server comprising a plug in for comparing authorization data associated with the electronic requests with data stored in a policy server and database (paragraph 47).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a system for comparing authorization data associated with the electronic request with data stored in a policy server and database as taught by Ereinsure with the motivation of allowing quick and accurate analysis of a company's purchasing history (paragraph 46).

Software Claims 31 and 32 repeat the subject matter of method claims 9 and 10, respectively. As the underlying processes of claims 9 and 10 have been shown to be fully disclosed by the teachings of Medina and Kelly in the above rejections of claims 9 and 10, it is readily apparent that the method disclosed by Medina and Kelly include the software to perform these functions. As such, these limitations (claims 31 and 32) are rejected for the same reasons given above for method claims 9 and 10.

6. Claims 14 – 15, 20 – 21, and 36 – 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Medina, Harrell, and Kelly, and further in view of Apte et al., herein after Apte (U.S. Patent Number 5,970,464).

In regard to claim 14 (original), Medina, Harrell, and Kelly teach the method of claim 1. Medina, Harrell, and Kelly fail to teach a method further comprising the step of analyzing profitability of the data provided to the application server, the step of electronically communicating comprising the step of communicating profitability of the quote to the customer users.

Apte teaches a method further comprising the step of analyzing profitability of the data provided to the application server, the step of electronically communicating comprising the step of communicating profitability of the quote to the customer users (column 2, lines 64 - 67; column 4, lines 41 - 47; and, column 6, lines 11 - 15).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a method further comprising the step of analyzing profitability of the data provided to the application server, the step of electronically communicating comprising the step of communicating profitability of the quote to the customer users as taught by Apte with the motivation of providing a profitability analysis of data based on historical insurance policies in order to generate the potential profit on new business (column 1, lines 49-60).

In regard to claim 15 (original), Medina, Harrell, and Kelly teach the method of claim 14. Medina, Harrell, and Kelly fail to teach a method further comprising the step of communicating messages between the application server and a profitability engine to facilitate communications between the application server and profitability software of the profitability engine.

Apte teaches a method further comprising the step of communicating messages between the application server and a profitability engine to facilitate communications between the application server and profitability software of the profitability engine (column 2, lines 11 – 16).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a method further comprising the step of communicating messages between the application server and a profitability engine to facilitate communications between the application server and profitability software of the profitability engine as taught by Apte, with the

motivation of providing a method in which a server can simultaneously accessed across the intra or internet (column 2, lines 1 - 6).

In regard to claim 20 (original), Medina, Harrell, and Kelly teach the system of claim 16. Medina, Harrell, and Kelly fail to teach a system further comprising a profitability analysis engine for analyzing profitability of the quotation.

Apte teaches a system further comprising a profitability analysis engine for analyzing profitability of the quotation (column 3, lines 34 – 38).

The motivation to combine the teachings of Medina, Harrell, Kelly, and Apte is discussed in the rejection of claim 14, and incorporated herein.

In regard to claim 21 (original), Medina, Harrell, and Kelly teach the system of claim 20. Medina, Harrell, and Kelly fail to teach a system further comprising an interface architecture for communicating between the application server and the profitability analysis engine, through a pair of messaging subsystems.

Apte teaches a system further comprising an interface architecture for communicating between the application server and the profitability analysis engine, through a pair of messaging subsystems (column 2, lines 11 - 17).

The motivation to combine the teachings of Medina, Harrell, Kelly, and Apte is discussed in the rejection of claim 15, and incorporated herein.

Software Claims 36 and 37 repeat the subject matter of method claims 14 and 15, respectively. As the underlying processes of claims 14 – 15 have been shown to be fully disclosed by the teachings of Medina and Kelly in the above rejections of claims 14 – 15, it is readily apparent that the method disclosed by Medina and Kelly include the software to perform these functions. As such, these limitations (claims 36 and 37) are rejected for the same reasons given above for method claims 14 – 15.

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Response to Arguments

7. Applicant's arguments filed 9/22/2008 have been fully considered but they are not persuasive. Applicants arguments will be addressed herein below in the order in which they appear in the response filed 9/22/2008.

In regard to claim 1, the Applicant submits that Medina and Harrell do not, alone or in combination, describe or suggest the claimed invention. The Examiner respectfully disagrees.

The limitation "authorizing electronic requests …" is described in the Medina reference; Medina discloses a computerized system for generating a price quote. Medina does not explicitly disclose an insurance company; however, Medina's invention is applicable to a business information process which encompasses a process enacted by an insurance company. Medina discloses a method and system in which the business process is applicable to all types, sizes, and organizational structures of a company (Medina: paragraph [0007]).

In response to the Applicant's argument regarding the limitation "automatically requesting whether the customer users", it is respectfully submitted that the Examiner has applied new prior art to the amended claims 1, 16, and 24. The Examiner notes that the amended limitations were not in the previously pending claims as such; Applicant's remarks with regard to the application of Medina and Harrell to the amended limitations are moot in light of the addition of the Kelly reference.

In response to the Applicant's argument regarding the limitation "electronically communicating the quote", it is respectfully submitted that the Examiner has applied new passages and new citations in the above Office Action. Claims 2 – 15 are dependent upon independent claim 1, and the rationale in response to the Applicant's argument apply.

Independent claims 16 and 24, are the same or similar to claim 1, thus the same rationale is applied in response to the Applicant's argument. The same rationale applies to dependent claims 17 – 23 (dependent upon independent claim 16) and dependent claims 25 – 37 (dependent upon independent claim 24).

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Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should

be directed to KRISTINE K. RAPILLO whose telephone number is (571)270-3325. The examiner can

normally be reached on Monday to Thursday 6:30 am to 4 pm Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Luke

Gilligan can be reached on 571-272-6770. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC)

at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative

or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-

1000.

KKR

/Robert Morgan/

Primary Examiner, Art Unit 3626